IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 16239 of 2004

Between:

M.Nagaraju S/o.Chandra Sekharaiah
R/o.Nagar Doddi (V) Nittampadu (PO) Dharoor (M) Gadwal (TQ)
Mahaboobnagar, District.

..... PETITIONER

AND

1 The Secretary Regional Transport Authority
Mahaboob Nagar, Mahaboobnagar District.
2 The Motor Vehicles Inspector Unit Office, Gadwal
Mahaboobnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the 2nd respondent in seizing the petitioner vehicle bearing No.AP22U.4557 under Sec.B of A.P.M.V.T Act as arbitrary, illegal and further direct the respondents to release the said vehicle to the petitioner pending enquiry.

Counsel for the Petitioner : MR.P.VENKAT RAO, Advocate.

Counsel for the Respondents : GP FOR TRANSPORT

The Court made the following O R D E R:

(Per the Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is disposed of at this stage.

It appears that the petitioner's vehicle has been seized for violating the conditions of permit and for some other alleged offences. In the interest of justice, we dispose of this Writ Petition at this stage, directing release of vehicle subject to payment of tax due by the petitioner, without prejudice to his rights in the enquiry and further subject to filing an undertaking to the effect that he shall not alienate or in any way encumber the vehicle.

Writ Petition is accordingly disposed of. No costs.

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(BILAL NAZKI, J)

13th September, 2004.

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(S.ANANDA REDDY, J)

vrn

To

1 The Secretary Regional Transport Authority, Mahaboob Nagar,

Mahaboobnagar District.

2 The Motor Vehicles Inspector Unit Office, Gadwal,

Mahaboobnagar District.

3 Two C.Cs. to the Government Pleader for Transport,

High Court buildings, Hyderabad (O.U.T.)

4 Two C.D copies.